PATENT
3782-0182P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Christer FAHRAEUS et al. Conf.:   4391

Appl. No.:   09/652,838   Group: 2675

Filed: August 30, 2000   Examiner: C. NGUYEN

For: POSITION CODE BEARING NOTEPAD EMPLOYING
        ACTIVATION ICONS (AS AMENDED)

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents   November 15, 2004
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

    Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I.   LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

    The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II.   COPIES (check at least one box)

    a.   ☒   Copies of cited U.S. patents and patent application publications are not included. Copies of foreign patent documents and non-patent literature are included.

    b.   ☐   Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. <u>CONCISE EXPLANATION OF THE RELEVANCE</u>
   (check at least one box)

   a.   ☒   **DOCUMENTS IN THE ENGLISH LANGUAGE**

        The patents, publications, or other information
        listed on the attached PTO 1449 are in the
        English language and therefore, do not require a
        statement of relevancy.

   b.   ☐   **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

        A concise explanation of the relevance of all
        patents, publications, or other information
        listed that is not in the English language is as
        follows:

   c.   ☐   **ENGLISH LANGUAGE SEARCH REPORT**

        An English language version of the search report
        or action that indicates the degree of relevance
        found by the foreign office is attached, thereby
        satisfying the requirement for a concise
        explanation. See MPEP 609(III)(A)(3).

   d.   ☐   **OTHER**

        The following additional information is provided
        for the Examiner's consideration.

FEES

IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
         (check one box)

   a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*

   b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

   c. ☒ concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

   d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
           In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of $180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
        (check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

   a. ☐ No statement; therefore, a fee in the amount of $<u>180.00</u> as required by 37 C.F.R. § 1.17(p).
                                  or
   b. ☐ See the statement below. No fee is required.

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VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

a. ☐ **each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or**

b. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

c. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

d. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. <u>PAYMENT OF FEES</u> (check one box)

☐ A check in the amount of $180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.

☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. This paper is submitted in triplicate.
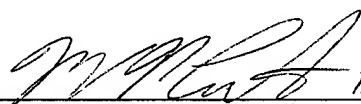
☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____ # 39, 491
/. Michael K. Mutter, #29,680

MKM/CMV/jdm
3782-0182P

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Attachment(s): ☒ PTO-1449
☐ Documents
☐ Foreign Search Report
☐ Fee
☐ Other:

Form PTO-1449		ATTY. DOCKET NO. 3782-0182P	APPLICATION NO. 09/652,838
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		APPLICANT Christer FAHRAEUS et al.	
		FILING DATE August 30, 2000	GROUP 2675

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 6,752,317	B2	2004-06-22	Dymetman et al.			
	US 6,330,976	B1	2001-12-18	Dymetman et al.			
	US						
	US						
	US						
	US						
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	US						
	US						
	US						

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MKM/CMV/jdm